

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RICHARD BANGS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

NO. CV-11-3039-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Before the Court, without oral argument, is the Magistrate Judge's Report and Recommendation entered on August 8, 2012, ECF No. [25](#), recommending the parties' Stipulated Motion for an Order of Remand, ECF No. [24](#), be granted. No objections have been filed.

Having reviewed the Report and Recommendation, the Court adopts the Magistrate Judge's recommendation. Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation, **ECF No. [25](#)**, is **ADOPTED in its entirety.**

2. The Stipulated Motion for an Order of Remand, **ECF No. [24](#)**, is **GRANTED** pursuant to sentence four of 42 U.S.C. § 405(g). The administrative law judge shall offer the claimant the opportunity for a new hearing and testimony; shall conduct a proper evaluation of the medical and other evidence of record, including Dr. Hartman's opinions, in accordance with agency regulations and policy; reassess the claimant's

1 credibility and residual functional capacity and provide specific reasons
2 supported by the record for all findings made; and, if necessary, obtain
3 vocational expert testimony to determine whether the claimant can perform
4 his past relevant work, or other work, given his age, education, and
5 residual functional capacity.

6 3. **Judgment** shall be entered in Plaintiff's favor.

7 4. All other pending motions are **DENIED AS MOOT**.

8 5. This file shall be **CLOSED**.

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter
10 this Order and forward copies to the parties and Magistrate Judge Hutton.

11 DATED this 21st day of August, 2012.

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13 S/ Edward F. Shea

EDWARD F. SHEA

Senior United States District Judge

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